

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF OKLAHOMA

3 STATE OF OKLAHOMA, ex rel,)
 4 W.A. DREW EDMONDSON, in his)
 capacity as ATTORNEY GENERAL)
 5 OF THE STATE OF OKLAHOMA,)
 et al.)

6 Plaintiffs,)

7 V.)

No. 05-CV-329-GKF-SAJ

8)
 9 TYSON FOODS, INC., et al.,)

10 Defendants.)

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 13 REPORTER'S TRANSCRIPT OF PROCEEDINGS

14 FEBRUARY 20, 2008

15 PRELIMINARY INJUNCTION HEARING

16 VOLUME II

17
 18 BEFORE THE HONORABLE GREGORY K. FRIZZELL, Judge

19
 20 APPEARANCES:

21 For the Plaintiffs: Mr. Drew Edmondson
 22 Attorney General
 23 Mr. Robert Nance
 Mr. Daniel Lennington
 24 Ms. Kelly Hunter Burch
 Mr. Trevor Hammons
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Exhibit 62

Glen R. Dorrough
 UNITED STATES COURT REPORTER

1 or so, you'll see materials leaving the watershed and entering
2 Lake Tenkiller in somewhere between two and four days.

3 Q. Does, in your opinion, bacteria increase every time there
4 is a land application of poultry waste?

5 A. I'm not sure I understand your question.

6 Q. I believe there was some questions by Mr. George to you
7 about the increase of cattle and their defecating and it might
8 increase bacteria.

9 A. Well, bacteria are living things and the cows themselves
10 are active in excreting year round. When the poultry waste is
11 cleaned out, it's cleaned out over a fairly -- mainly during a
12 fairly tight time interval and is dumped on the landscape at
13 that time. And so there's a real difference not only in terms
14 of type of animal, but a real difference in timing of what's
15 happening with the waste because the poultry waste is dumped
16 out beginning in the late, late winter and continuing into the
17 late spring is the bulk of when poultry waste is disposed. And
18 that's coincident with rainy periods within the watershed.

19 Q. And your contrast to cattle is they're there all year;
20 right?

21 A. Cow is there all year.

22 Q. You were asked about the inability to, and then suspension
23 of looking for Campylobacter in wells. Do you remember those
24 questions?

25 A. Yes.